

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

Susan E. Willette; Laura Belles and Jeff Belles; David M.)
Cohen and Shirley Cohen; Jan Courier; Ricardo)
Guzman; Debra A. King and Robert E. King; Maria M.)
Laessig and Robert E. Laessing; Helen Cruz Madla;)
Maryann McGovran and Harley Duane McGovran; H.) CIVIL ACTION FILE
Kenneth Roseberry, Jr. and Kristina Roseberry; Jerry)
E. Smith; Diana Lynn Spector and James R. Spector, II;) NO. 04-11429-GAO
Yvonne K. Stankey; Ronald A. Waller and Harriet)
Waller; Susan R. Weiszbrod; Connie L. Weygandt; and)
Beverly McDuffie Whitaker,)

Plaintiffs,

V.

Indevus Pharmaceuticals, Inc., F/K/A Interneuron Pharmaceuticals Inc., Wyeth, Inc. F/K/A American Home Products Corporation; Wyeth Pharmaceuticals, Inc., F/K/A Wyeth-Ayerst Pharmaceuticals, Inc., A Division of American Home Products Corporation; and Boehringer Ingelheim Pharmaceuticals, Inc.; and James A. Edmondson; Linda L. Gonzales (a/k/a Linda L. McElroy); Arturo I. Gonzalez; Andrew D. Morton; Patricia M. Ulrich; Christine K. Wagner; Mark A. Conrad; Mae O. Hence; Dennis L. Westfall; Elutherio Farias; Virginia F. Riley; Jennifer J. Froelich; Michael Topalian; Donna M. Williams; Lisa Elek; Joseph Potter, III; Karen L. Symon; Don LeCocke; Richard E. Martinez; Alberto Rodriguez, I; Debbie K. Anderes; Michael B. Barks; David P. Cauwels; Thomas Meehan; David R. Mrosko; Patricia M. Tessendore; Michael T. Matanguihan; Charles J. Reinert; Kimberle Karen Maddox; Marjorie T. Rylee; Daniel B. Burke; Dean L. Marusak; A. Durwood Neie; Joseph Boswell; James V. Nash; Lisa Sabbagh; Gina M. Sanders; Gregory Garner; Jennifer L. Koelz; Rodney D. Miller; David E. Anderson; Mark D. Cook; Bruce R. Stewart; Paul D. Bowers; Dwane Lyle Hanson; Shanna Midland; David J. Schade; Anthony J. Cain; and John Doe,

Defendants.

WYETH'S SUPPLEMENTAL NOTICE OF REMOVAL

Come now Wyeth and Wyeth Pharmaceuticals, Inc. ("Wyeth") and supplement their Notice of Removal originally filed on June 24, 2004. Wyeth hereby incorporates its Notice of Removal by reference and further shows the Court as follows:

1.

Wyeth is a defendant in a civil action brought against it in the Superior Court of the Commonwealth of Massachusetts, Middlesex County, entitled *Willette, et al. v. Indevus Pharmaceuticals, Inc., et al.*, bearing Civil Action No. 2004-01708.

2.

Wyeth removed this case to this Court on June 24, 2004.

3.

The Complaint names as defendants 48 current and former employees of Wyeth and Indevus Pharmaceuticals, Inc. ("Indevus") who allegedly worked as sales representatives for Wyeth and Indevus. Complaint ¶¶ 17-65. None of these defendants is a Massachusetts resident.

4.

In addition to the reasons set forth in Wyeth's Notice of Removal, the non-resident sales representative defendants are fraudulently joined because Plaintiffs have no reasonable basis for a cause of action against them because Massachusetts courts do not have personal jurisdiction over them and because service of process on them was defective under Fed. R. Civ. P. 4 and 28 U.S.C. § 1448.

Respectfully submitted this 12th day of July 2004.

/s/ Janice W. Howe

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*Counsel for Defendants Wyeth and
Wyeth Pharmaceuticals, Inc.*

CERTIFICATE OF SERVICE

This is to certify that I have this day served the within and foregoing SUPPLEMENTAL NOTICE OF REMOVAL upon all parties to the above-captioned action by facsimile and by depositing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereto to ensure delivery to the following:

David C. Strouss (BBO # 546253)
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Counsel for Plaintiffs

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Counsel for Defendants Indevus Pharmaceuticals, Inc. and Boehringer Ingelheim Pharmaceuticals, Inc.

This 12th day of July, 2004.

/s/ Janice W. Howe

*Counsel for Defendants Wyeth
and Wyeth Pharmaceuticals, Inc.*